



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

March 12, 1996

Ms. Christine T. Rodriguez  
Staff Attorney  
Legal and Compliance Division  
Texas Department of Insurance  
P.O. Box 149104  
Austin, Texas 78714-9104

OR96-0313

Dear Ms. Rodriguez:

You have asked for reconsideration of Open Records Letter No. 95-1325 (1995), which was itself a reconsideration of Open Records Letter No. 95-490 (1995), and for reconsideration of Open Records Decision No. 95-756 (1995). We have assigned your current requests for reconsideration IDs# 37556 and 35529.

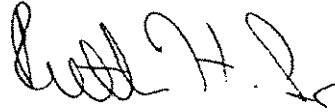
In Open Records Letter No. 95-1325 (1995), this office determined that, pursuant to section 552.111, the Texas Department of Insurance (the "department") could withhold from disclosure the portions of internal documents that consisted of advice, opinion, and recommendation reflecting the department's policymaking processes. *See* Open Records Decision No. 615 (1993). We marked the portions of the documents at issue that could be withheld from disclosure pursuant to section 552.111. You disagree with the markings on one document and seek reconsideration as to portions of that document that you contend should be withheld from disclosure.

In Open Records Letter No. 95-756 (1995), this office determined that a meeting agenda listing topics for discussion is not excepted from disclosure under section 552.111, as the agenda reflected only factual information rather than opinion. *See* Open Records Decision No. 615 (1993). You disagree with that conclusion, and state that the agenda "constitutes recommendations by the executive staff to the Commissioner regarding matters to be deliberated upon at the Commissioner's executive staff meeting."

We have reviewed the documents at issue, and conclude that our prior decisions concerning these documents are correct. Thus, Open Records Letter Nos. 95-756 and 95-1325 (1995) answer your questions concerning the documents at issue.

If you have any questions, please contact this office.

Yours very truly,

A handwritten signature in black ink, appearing to read 'Ruth H. Soucy', written in a cursive style.

Ruth H. Soucy  
Assistant Attorney General  
Open Records Division

RHS/ch

Ref.: ID# 37556

Enclosures: Submitted documents

cc: Mr. Jim Boyle  
Law Offices of Jim Boyle  
1005 Congress, Suite 550  
Austin, Texas 78701  
(w/o enclosures)